

Minutes of a Regular City Council Meeting held May 24, 1982

PRESENT:

Grant S. Nielson	Mayor
Max Bennett	Council Member
Don Bird	Council Member
Don Dafoe	Council Member
Ruth Hansen	Council Member
Willis Morrison	Council Member

OTHERS PRESENT:

Vance Bishop	City Administrator
Warren Peterson	City Attorney
Dorothy Jeffery	City Recorder
Neil Forster	Public Works Superintendent
John Quick	City Engineer
Ray Valdez	City Building Inspector
Pat Davies	City Clerk
Craig Whitehead	Administrative Intern
Roy Wood	Chief of Police
Morris Burton	Police Officer
Ralph Stoneking	Police Officer
LaVar Cox	IPA Representative
Dr. Kenneth Topham	Millard County School Superinten-
dent	
Mr. Green	

Mayor Nielson called the meeting to order at 8:00 p.m.
Dorothy Jeffery, acted as secretary.

The Mayor stated the meeting was a regularly called meeting and that notice of the time, place and agenda of the meeting had been posted at the principal office of the governing body and had been provided to the Millard County Chronicle, the Millard County Gazette and the local radio station KNAK, and to each member of the governing body by hand delivery copies of the Notice and Agenda two (2) days before to each of them.

MINUTES

Minutes of a regular City Council meeting held May 10, 1982 were presented to the Council. After corrections and additions, Councilman Don Bird MOVED to accept the minutes. Council Member Don Dafoe SECONDED the motion which carried unanimously.

ACCOUNTS PAYABLE

The accounts payable were presented to the Council by Dorothy Jeffery. Councilman Don Bird MOVED to pay the current bills. Council Member Ruth Hansen SECONDED the motion which carried unanimously.

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REQUEST FOR USE PERMIT: BILL LISONBEE

Mr. Bill Lisonbee told the City Council that the situation at the LDS Geneological Library is extremely dangerous because of the closeness of the alleyway to the door of the building. He requested that the alleyway be closed to through traffic and also that the church may be able to put in curb, gutter and landscaping. He said that access would be left for emergency vehicles. City Attorney Warren Peterson stated that to vacate or close the street the City would be required to go through an ordinance procedure. There was discussion on property lines, where the existing fences run, how often the alley is used for through traffic, fire and emergency vehicle access and how the other property owners view the situation. Council Member Don Bird MOVED to have Attorney Peterson write the required ordinance to close the alley and further moved to lease to Deseret Corporation for \$1.00 per year which lease would automatically renew each year unless terminated by the City Council or if the property is sold, the lease would be terminated. Council Member Don Dafoe SECONDED the motion which carried unanimously.

HUD GRANT APPLICATION: CRAIG WHITEHEAD

Craig Whitehead, Administrative Intern explained to the Council that the Six County organization has about \$350,000.00 to disperse for community development and that he has been preparing an application for some of those monies to be used to build 2 new roads, one from First West to the new elementary school and an extension of Center Street from 4th South to the new school, and to build new curb, gutter and sidewalk where needed on Center Street South of Main. Mr. Whitehead mentioned that Roger Stowell was working on the application with him and that it would be finished this week.

RECOMMENDATION ON CURFEW: POLICE DEPARTMENT

Chief of Police Roy Wood reported to the Council that he had done a survey of nine separate police departments concerning curfews. He said the curfew time varied, but the overwhelming majority of those contacted said that a workable curfew is a necessity and is very helpful in the reduction of crime and vandalism. He stated that in Richfield the age is 16 and the biggest problems are with the 15 to 18 age group. Chief Wood mentioned that the department in Richfield is now working to change to age of those affected by the curfew to under 17. After a lengthy discussion on curfew times and ages, Councilman Bird MOVED to change the ordinance to require those under 18 to be off the streets between 12 midnight and 5 a.m., but on special activity nights the curfew is to be 1:00 a.m. to 5:00 a.m. Council Member Dafoe SECONDED the motion which carried unanimously. In answer to a question from a council member, Attorney Peterson stated that the proposed change in the ordinance must be published after it is adopted but no public hearing is required to enact the change.

LIEN LINE AGREEMENT

Attorney Peterson reviewed the proposed ordinance and explained how it

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amends the existing code of ordinances. There was discussion on who is responsible for keeping the records on the agreements and who enforces the ordinance, line reimbursement and line extensions and other basic points. Council Member Don Bird MOVED to adopt Ordinance #82-40 entitled:

AN ORDINANCE AMENDING THE REVISED ORDINANCES OF DELTA CITY (1981 EDITION) TO PROVIDE FOR FINANCING OF WATER AND SEWER LINE EXTENSIONS BY THE APPLICANT FOR SUCH SERVICE AND PROVIDING FOR REIMBURSEMENT TO THE PERSON FINANCING SUCH EXTENSIONS AND ESTABLISHING ADMINISTRATIVE PROCEDURES FOR APPROVAL OF SUCH AGREEMENTS.

Councilman Willis Morrison SECONDED the motion and the Mayor called for a vote.

Max Bennett	Aye
Willis Morrison	Aye
Don Dafoe	Aye
Ruth Hansen	Aye
Don Bird	Aye

The ordinance was adopted unanimously.

After discussion on the proposed Resolution, Councilman Don Bird MOVED to adopt Resolution # 82-67 entitled:

A RESOLUTION APPROVING A LINE REIMBURSEMENT AGREEMENT FORM AS PROVIDED IN CHAPTER 14-300 OF THE REVISED ORDINANCES OF DELTA CITY (1981 EDITION). *See Res # 82-74: Changed Res # 82-67 to #82-73*

Council Member Ruth Hansen SECONDED the motion and the Mayor took a roll call vote.

Max Bennett	Aye
Willis Morrison	Aye
Don Dafoe	Aye
Ruth Hansen	Aye
Don Bird	Aye

After the Resolution was adopted unanimously, Mr. Peterson stated that the corrected Ordinance would be delivered to the Mayor to be signed and attested.

REPORT ON DRAINAGE STUDY: JOHN QUICK

City Engineer John Quick reported to city council the results of his study on the drainage system. He explained that the city basically drains in 2 directions; to the southeast and also to the southwest. He showed maps which detail the drainage systems and also photographs illustrating some of the ditches, bridges and culverts in the system. He said that IPP will take care of the drainage system on their property and will increase sizes of the culverts also. He reported to the council that IPP

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will not fund the drainage study as requested previously by the city. It was asked if IPP's plans include the Myers and Debenham property. Mr. Quick said that each property owner in the annexation will have to address his own drainage problems even though the IPP system will relieve many of the discharge problems and of surface runoff. Financing of the propose drainage system was another problem discussed. It was suggested that a special improvements district could be established and that possible impact alleviation funds could be requested from IPP. Mr. Quick stated that some of the drainage problem has been existing for some time, but the problems will be increased by the influx of people expected because of the Intermountain Power Project.

BUILDING PERMITS AND FEES FOR THE NEW ELEMENTARY SCHOOL

Attorney Peterson stated to the council that in times past school districts and other public entities have been excluded from paying building fees. He said that because of a 1979 legislative change and a 1980 court decision, it was his opinion that the Millard School District must obtain a building permit and that the City could charge a building permit fee, but the City could waive the fees. He further stated that the fee is supposed to be what it costs to administer the building inspections. He said that because of recent court rulings there is strong argument for the city to impose inspections and perhaps waive the fees. Superintendent Topham stated that the school district attorney had looked at two attorney general opinions and found conflicting opinions. He asked for time to look into the 1979 legislation referred to by Attorney Peterson. It was agreed that a ruling on the matter should be requested from the State Attorney General. Superintendent Topham stated that in the meantime, the school district has no problems with the city inspector visiting the construction site. He said that if Mr. Valdez notices something out of order, that he should report to Mr. Mel Roper, the inspector for the school district. Superintendent Topham agreed to work with the city so that if the Attorney General rules that the city has a responsibility in inspecting the building, the City Inspector will be in on the ground floor of the project.

COMMUNICATION SYSTEM FOR CITY HALL

City Administrator Vance Bishop announced to the council that the new temporary offices are ready for occupancy and that a decision needs to be made as to what shall be done for a communication system to connect the new offices with the main building. He said that several alternatives had been investigated including intercoms, adding more lines and having a separate telephone system. He mentioned that the city could get a system on a lease purchase agreement which would be costly, but could be utilized in the new city hall. He said the monthly lease from Continental Telephone Co. would be \$188.81 on a 7 year pay back period. The council agreed that a system must be installed and instructed Mr. Bishop to request bids from several companies.

OTHER BUSINESS

There was discussion without official action on the following items:

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The Miss Liberty contest.

A 4th of July celebration chairman.

The problem of weeds on city property.

A tree in the middle of the alley at Bruce Curtis' home.

There being no further reason for discussion, Councilman Don Bird MOVED and Councilman Max Bennett SECONDED to adjourn. The Mayor adjourned the meeting at 11:09 p.m.


Grant S Nielson, Mayor


Dorothy Jeffery, Recorder

Minutes of a Public Hearing held May 26, 1982

PRESENT:

Grant S Nielson
Don Dafoe
Ruth Hansen
Willis Morrison

Mayor
Council Member
Council Member
Council Member

ABSENT:

Don Bird
Max Bennett

Council Member
Council Member

OTHERS PRESENT:

Vance W. Bishop
Warren Peterson
Dorothy Jeffery
Ray Valdez
Pat Davies
Craig Whitehead

City Administrator
City Attorney
City Recorder
City Building Inspector
City Clerk
Administrative Intern

LaVar Cox
Roger Stowell
Gayle Bunker
Robert L. Valleu
Jim Pendray
Steven W. Whitaker

Carl Hasse
Mitch Myers
Steven W. Allred
Manley Abbott
John H. Russon
Ron Merlo

Mayor Grant Nielson opened the public hearing at 6:10 p.m. and announced that the hearing had been duly advertised in the local newspaper and that said hearing is for the purpose of receiving public comment on a proposed

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